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Redevelopment Board Minutes 03/16/2009

Arlington Redevelopment Board
 May 6, 2009
 Minutes of March 16, 2009

Approved

Members Present: Andrew West, Chair
 Christopher Loreti, Vice Chair
 Ed Tsoi
 Roly Chaput
 Bruce Fitzsimmons

Also Present: Kevin J. O'Brien
 Dave Berry
 Joey Glushko

Andy West called the meeting to order and announced the opening of the public hearing on Town Meeting warrant articles that propose to amend the Zoning Bylaw. He asked Kevin O'Brien to explain the process for the hearing to the audience. Kevin O'Brien explained that the hearing was the opportunity for the public to comment on the articles and the Board, after hearing the comment, must make a recommendation to the Town Meeting. The Board's recommendation is what will be put before the Town Meeting for a vote.

Given the makeup of the audience, Andy West said he'd like to take up Article 11 regarding the keeping of hens first. Andy West recognized Pam Calloway, the principal proponent of the article who made a powerpoint presentation advocating for the ability to keep a limited number of hens in the R0, R1, and R2 residential zoning districts. Following her presentation, Andy West asked if others in the audience wanted to speak. Kathleen Leavey, a veterinarian, said that she felt that chickens were safe and she would like to have them. Mary Gilbert said that problems arise from our alienation from nature and she thought keeping chickens was desirable especially in light of the cruelty of commercial chicken raising. Risa Edelstein, a landscape designer, said she'd worked on many properties that included chickens and felt that keeping chickens was a small thing we could do to move away from our traditional practices.

Roly Chaput asked who would do the kinds of inspections of chicken facilities that people had mentioned. Pam Calloway replied that she thought it would be the health inspector or designate. Roly Chaput asked if such an inspector would need special training. Pam Calloway replied that such training is available but the inspector merely has to inspect for compliance with the law. Roly Chaput asked if he had to submit a plan of the chicken coop if he wanted to keep chickens. Pam Calloway said that her proposed code would require such a plan to be submitted.

Netta Davis, of Spring Street said that her family had chickens and was told by the animal control officer that she could not keep them. Her neighbors did not object and she would like to be able to get her chickens back. John Worden said that he thought it was a good idea. A neighbor of his son (in another town) has chickens and they are not a problem. Chris Loreti questioned whether or not there needed to be a zoning change to allow chickens as pets. He suggested that the Board ask the building inspector.

Laurel Kayne said that she favored the keeping of chickens and gave the Board a letter from one of her neighbors, Margaret Seeger, who also expressed the desire to keep hens in her yard.

Andy West asked if anyone else wanted to speak. As no one else wanted to speak, Kevin O'Brien told the hearing that the Board had received a memo from Christine Sharkey, the Town's Director of Health and Human Services saying that the Board of Health unanimously opposed the keeping of hens in Arlington and that the Planning Department had responded to the ARB's request to prepare a memo of the laws and regulations in neighboring communities.

Et Tsoi asked what happens if one sells the eggs. Pam Calloway responded that the sale of eggs is regulated by the state. Andy West asked about the size of the coops and was told by Pam Calloway that they could be fairly small. Chris Loreti asked what the term "other purposes" in her proposed bylaw meant. Pam Calloway answered that it was not specific but it could mean people could eat the chickens. There was a short discussion about the slaughter of chickens, both for and against. Ted Sharpe advocated against a prohibition against slaughter.

Bruce Fitzsimmons asked what would happen if the Zoning Bylaw were amended and the proposed change to the Town Bylaw which contained lots of regulations failed. Pam Calloway said that the keeping of chickens would still be generally under the jurisdiction of the Board of Health.

There being no further discussion on this article, Andy West asked who wished to speak about Article 5. John Worden suggested the Board give an example of a 600 foot distance to help Town Meeting understand the proposed change.

Andy West asked for comment on Article 6 and asked Kevin O'Brien to explain its purpose. He explained that it was to clearly specify special permit standards and special permit conditions.

Andy West asked for comment on Article 7 and asked that Chris Loreti explain it. Chris Loreti explained that there was no discernable reason that accessory use 8.19 was a special permit in some business districts and by right in others. The article proposes to make it a special permit in all business districts.

Andy West asked for comment on Article 8. Kevin O'Brien indicated a recommended change from the warrant version to make it clear that both parking and driveways can be allowed by special permit.

Andy West asked for comment on Article 9. John Worden asked if the intention was to limit application of the bylaw to the front facade or to all facades of a building. After some discussion, it was decided to add to the definition so that any facade exposed to public view would be considered.

Andy West asked for comment on Article 10. John Worden asked for an explanation and Kevin O'Brien explained that the proposed change made more specific and more limiting the type of alteration that could be made to a nonconforming single or two-family structure. John Worden suggested a diagram would help explain this to Town Meeting.

There being no further comment, Chris Loreti moved that the public comment portion of the hearing be closed with the exception that the Planning Director be directed to ask the Building Inspector if his opinion is that the keeping of hens requires a zoning bylaw change or not, and that the Board will continue the deliberation part of the hearing at 7:45 on April 6, 2009 in the second floor conference room. Bruce Fitzsimmons seconded the motion and the Board voted 5 to 0 to approve.

Andy West then asked the Board to take up the issue about renting space on the first floor of the Central School. David Berry introduced Normand Saucier from the International School of Boston who presented his proposal to renovate and lease the space for pre-school use. Normand Saucier offered to lease the building for two years paying \$17 per square foot if the Redevelopment Board will pay half of the approximately \$90,000 to \$100,000 renovation costs. Chris Loreti said he'd prefer to seek another

tenant for a reduced rent than have all the rent be put towards renovation. He suggested that the Board try to lease the space for \$10 per square foot and not have any involvement in renovation of the space. Normand Saucier responded that he would be willing to lease at that rate. If they were to continue to occupy the space after the second year, the rent would be the full \$17 psf inflated by the Consumer Price Index beginning this year. staff was instructed to work out the details.

Joanna Ain from the Housing Corporation of Arlington asked that the Board and the new tenant be sensitive to the needs of the Corporation which is right next door to the space being renovated.

The Board then reviewed minute of past meetings, made some editorial changes and took the following votes.

Roly Chaput moved and Bruce Fitzsimmons seconded the motion to approve the minutes of the March 9, 2009 meeting as amended. The Board voted 5 to 0 to approve.

Roly Chaput moved and Bruce Fitzsimmons seconded the motion to approve the minutes of the February 9, 2009 meeting as amended. The Board voted 5 to 0 to approve.

Roly Chaput moved and Bruce Fitzsimmons seconded the motion to approve the minutes of the January 26, 2009 meeting as amended. The Board voted 5 to 0 to approve.

The Board briefly discussed its upcoming schedule and adjourned at 10:10pm.

Respectfully submitted,
Kevin J. O'Brien

Approved 5/6/09